

The Federal Judicial Center

Presents a

**Workshop for
Bankruptcy Judges III**

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Hon. Barbara Jacobs Rothstein
Director, Federal Judicial Center
Washington, D.C.

John S. Cooke
Director, Judicial Education Division
Federal Judicial Center
Washington, D.C.

Workshop Chair
Hon. James B. Haines, Jr.
Chief Bankruptcy Judge
District of Maine
Portland, Maine

Wednesday, November 12, 2003

8:00 Welcoming Remarks

Hon. James B. Haines, Jr.

Hon. Joan N. Feeney
Chief Judge
District of Massachusetts

**8:05 Report from the Judicial Conference Advisory
Committee on Bankruptcy Rules**

Hon. A. Thomas Small
Eastern District of North Carolina

8:15 Chapter 11 – Time for a Reality Check

Moderator

Hon. Joyce Bihary
Northern District of Georgia

Panelists

Stephen H. Case, Esq.
New York, New York

Richard Levin, Esq.
Los Angeles, California

9:35 Break

9:50 Understanding Secured Creditors' Thinking: This session will focus on how secured creditors (generally, lenders) approach Chapter 11 bankruptcy cases. Included will be a discussion of how lenders (including different types of lenders) think about and address key bankruptcy issues such as cash collateral and collateral valuation, DIP financing, and exit/plan issues. (Terrace Room)

Jeffrey L. Jonas, Esq.
Boston, Massachusetts

OR

Credit Counseling and Debtor Education: What's it all about?
(Stanbro Room)

David A. Lander, Esq.
St. Louis, Missouri

10:50 **Break to change classes**

10:55 **The Mechanics and Management of the Mega Case**
(Stanbro Room)

Hon. Susan Pierson Sonderby
Northern District of Illinois

Hon. Wesley W. Steen
Southern District of Texas

OR

Automatic Stay Issues in Consumer Cases
(Terrace Room)

Hon. Eugene R. Wedoff
Chief Judge
Northern District of Illinois

11:55 **Break**

12:10 **Report from the Judicial Conference Committee on the Administration of the Bankruptcy System**
(Terrace Room)

Hon. Marjorie O. Rendell
Circuit Judge
U.S. Court of Appeals, 3rd Circuit

12:20 **Recent Developments Update** (Terrace Room)

Mr. Levin

George M. Treister, Esq.
Los Angeles, California

OR

The Debtor's Duties and Creditor's Remedies Under Section 521: The discussion will include an examination of private rights of action for violations of the discharge injunction and class actions, as distinguished from contempt actions, and appropriate contacts between the creditor and debtor.
(Stanbro Room)

Hon. William H. Brown
Western District of Tennessee

1:15 **Adjournment**

2:15–
4:00 **OPTIONAL**

Debtor's Prison and the First Bankruptcy Act: In a country that had just fought for independence, but with imprisoned debtors, the controversial Bankruptcy Act of 1800 was a milestone in the law of failure. It started the debate about whether and how a society should forgive its debtors that continues today.
(White Hill Room – 4th Floor)

Prof. Bruce H. Mann
University of Pennsylvania Law School
Philadelphia, Pennsylvania

Thursday, November 13, 2003

8:00 **Who Can You Talk To These Days?** Judicial Ethics,
with an emphasis on social contacts and extra judicial
speech.

Hon. Peter W. Bowie
Southern District of California

Prof. Laurie L. Levenson
Loyola Law School
Los Angeles, California

9:30 **Break**

9:45 **Getting Meaningful Judicial Performance Feedback**
Introduction to the Program: Hon. James B. Haines, Jr.
Hon. Robert F. Hershner, Jr.

Dr. Frank Wagner
Prism Ltd.
West Linn, Oregon

11:15 **Break**

11:30 **Recent Developments II** (Terrace Room)

Mr. Levin
Mr. Treister

OR

Getting Meaningful Judicial Performance Feedback
discussion (Whittier Room – 4th Floor)

Judge Haines
Dr. Wagner

OR

Using Surveys to Obtain Meaningful Feedback: This session will focus on how surveys can be used to obtain feedback on judicial performance. Sample questionnaires and tips for drafting questionnaires will be provided. Discussion topics will include: how to select a representative sample of attorneys to receive the questionnaire; how to administer the survey; how to analyze and interpret the responses; respondent anonymity; and confidentiality of responses. (St. James Room – 4th Floor)

Hon. Robert F. Hershner, Jr.
Chief Judge
Middle District of Georgia

Dr. Elizabeth C. Wiggins
Research Division
Federal Judicial Center

OR

Ethics discussion session (Stuart Room – 4th Floor)

Judge Bowie

1:00 **Adjournment**

2:15–
4:00 **OPTIONAL**

Law and Literature Discussion
(White Hill Room – 4th Floor)

Sanford M. Lottor
Literature and the Professions
Waban, Massachusetts

Friday, November 14, 2003

8:00 AO Update

Francis F. Szczebak
Chief, Bankruptcy Judges Division
Administrative Office of the U.S. Courts

8:30 Chapter 13 Update

Hon. Keith M. Lundin
Middle District of Tennessee

Henry E. Hildebrand, III
Chapter 13 Trustee
Nashville, Tennessee

OR

Privacy Interests in Bankruptcy: The Constitution, the
Cases, Proposed Rules Amendments, Real Life and Real
Threats (Whittier Room – 4th Floor)

Hon. Steven W. Rhodes
Chief Judge
Eastern District of Michigan

Dean Peter C. Alexander
Southern Illinois University School of Law
Carbondale, Illinois

9:30 Break

9:45 The Two Income Trap

Prof. Elizabeth Warren
Harvard Law School
Boston, Massachusetts

11:00 Evaluations/Adjournment

FJC Bankruptcy Education Committee

Hon. James B. Haines, Jr., Chair
Chief Bankruptcy Judge
District of Maine
Portland, ME

Hon. Nancy C. Dreher
U.S. Bankruptcy Judge
District of Minnesota
Minneapolis, MN

Stephen H. Case, Esq
Davis Polk, & Wardwell
New York, NY

Hon. Robert F. Hershner, Jr.
Chief Bankruptcy Judge
Middle District of Georgia
Macon, GA

Prof. S. Elizabeth Gibson
The University of North Carolina
School of Law
Chapel Hill, NC

Hon. Jeffery P. Hopkins
U.S. Bankruptcy Judge
Southern District of Ohio
Cincinnati, OH

David A. Lander, Esq.
Thompson Coburn
St. Louis, MO

Hon. Jim D. Pappas
Chief Bankruptcy Judge
District of Idaho
Boise, ID

Francis F. Szczebak
ex officio
Chief, Bankruptcy Judges Division
Administrative Office of the
U.S. Courts
Washington, DC

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Denise M. Neary
Senior Judicial Education Attorney
Federal Judicial Center
Washington, D.C.